



BANNER & WITCOFF, LTD.  
INTELLECTUAL PROPERTY LAW

10 SOUTH WACKER DRIVE, SUITE 3000  
CHICAGO, ILLINOIS 60606

TEL: 312.463.5000  
FAX: 312.463.5001  
www.bannerwitcoff.com

**FACSIMILE TRANSMITTAL SHEET**

<b>TO:</b> MAIL STOP AF	<b>FROM:</b> Kenneth F. Smolik	<b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>FEB 01 2005</b>
<b>COMPANY:</b> USPTO	<b>DATE:</b> February 1, 2005	
<b>FAX NO.:</b> (703) 872-9306	<b>TOTAL NO. OF PAGES:</b> (including cover sheet) 13	
<b>YOUR REFERENCE NO.:</b> 09/910,159	<b>OUR REFERENCE (C/M) NO.:</b> 005222.00131	
<b>RE:</b>	In re: Appln. Devitt, et al Appln. No. 09/910,159 Filed: July 20, 2001 For: Rule-Based On-Line Product Selection	

**OFFICIAL FAX**

*If you do not receive all page(s) or have any problems receiving this transmission, please call:*

<b>NAME:</b> Stephanie Lindquist	<b>PHONE:</b> 312-463-5518
-------------------------------------	-------------------------------

**COMMENTS:**

Amendment

**Important/Confidential:** This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of Banner & Witcoff, Ltd. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

BOSTON

PORTLAND, OR

PT 3/5B/21 (08-04)

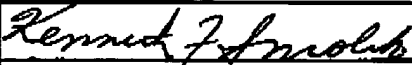
Approved for use through 07/31/2006. JMB 0651-0031


U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>		Application Number	09/910,159
		Filing Date	July 20, 2001
		First Named Inventor	Devitt, et al
		Art Unit	3627
		Examiner Name	Joseph A. Fishetti
(to be used for all correspondence after initial filing)		Attorney Docket Number	005222.00131
Total Number of Pages in This Submission		13	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet
<b>Remarks</b> The Commissioner is authorized to debit or credit any overpayment or inefficiency from our Deposit Account No. 19-0733.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Kenneth F. Smolik		
Date	02/01/2005	Reg. No.	44,344

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	DM Rolon	Date	02/01/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9198 and select option 2.

FEB 01 2005

## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Attorney Docket No. 005222.00131

In the Application of Devitt, et al.	)	
	)	
Application No. 09/910,159	)	Examiner: Fishetti, Joseph A
	)	
Filed: July 20, 2001	)	Art Unit: 3627
	)	
For: RULE-BASED ON-LINE PRODUCT	)	Confirmation No. 2587
SELECTION	)	

AMENDMENT

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is responsive to the final Office Action mailed December 1, 2004. The Examiner set a three-month period for response, thus making this response due on or before **March 1, 2005**. It is believed there is no fee due in connection with this filing. If a fee is due, the Office is authorized to charge any fees to Deposit Account No. 19-0733.

The Amendment section begins on page 2 and the Remarks section begins on page 8.

Please amend the application as follows.